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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,342	10/28/2003	Ruldolf J. Hofmeister	15436.253.66.1	5604

7590 08/25/2005

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EXAMINER

NGUYEN, DUNG T

ART UNIT PAPER NUMBER

2828

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/695,342

Applicant(s)

HOFMEISTER ET AL.

Examiner

Dung (Michael) T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 14-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed on 06/22/05 have been fully considered but they are not persuasive.

On page 7, paragraph 7, applicant argues « all apparent that Figure 3 discloses, or even suggests, that a 'distinct set of digital temperature compensation values determined through testing of the optoelectronic device', or any other data for that matter, are stored in the 'General Purpose EEPROM 120,' as the Examiner has asserted. The argument is not persuasive. Applicant's attention is directed to Aronson paragraph 0004, 0006, 0009, 0020, 0027, 0028, and 0033. These paragraphs clearly show that the memory including elements 120, 122, 128 (para.0028, 1.11-20) has stored a distinct set of digital temperature compensation values through testing of the optoelectronic device.

On page 8, paragraph 2 and on page 9, paragraph 2, applicant argues « Figure 3 of Aronson appears to indicate that "D/A Temperature Lookup Tables 122" is an element that is separate from the "General Purpose EEPROM 120." In fact, Figure 3 of Aronson does not even illustrate a connection between the "D/A Temperature Lookup Tables 122" and the "General Purpose EEPROM 120." The examiner does not concur because para.0028 and Fig.3 clearly disclose that there is a connection between the D/A Temperature Lookup Tables 122 and the General Purpose EEPROM 120 through the 2 wire serial interface 121.

On page 8, paragraph 4, applicant argues « Aronson Fig.2-3 fail to teach a memory device configured to store control parameters for at least one operating requirement

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corresponding to a range of operating temperatures ". The applicant's attention is directed to para.0006, 0020, and 0027-0028 which disclose the limitation as claimed.

On page 9, paragraph 3, applicant argues « while figure 3 of Aronson illustrates Logic 134, the Examiner has not identified with any particularity which specific portions of Figures 2 and 3 that the Examiner believes to disclose control logic that is configured "to access the control parameters in the memory device to control the at least one operating requirement when the optoelectronic device is operating at a temperature within the range of operating temperatures". The applicant's attention is directed to para.0029 which discloses that the logic 134 is able to access (1.7-12) the parameters in the memory 120, 122, 128.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 14-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Aronson et al. (US2002/0149821).

With respect to claim 14, Aronson show in Fig.2-3 an optoelectronic device 100 comprising: an optical subassembly 103; a driver circuit 105 coupled to the optical subassembly; a memory 120, including one or more memory arrays for storing information used to control operation of the driver circuit, wherein the memory has stored therein a distinct set of digital temperature compensation values 122 determined through testing of the optoelectronic device, an interface 121 for reading from and writing to locations within the memory in accordance with commands from a host device, a temperature sensor 125; and a control logic 134 configured to determine a control value for the driver circuit in accordance with one or more digital temperature compensation values stored in the memory and the digital temperature value.

With respect to claim 19, Aronson show in Fig.2-3 an optoelectronic device 100 comprising: an optical subassembly 103; a controller integrated circuitry 102 in communication with the optical subassembly, the controller integrated circuitry comprising: a memory device 120 configured to store control parameters for at least one operating requirement corresponding to a range of operating temperatures 122, and a control logic 134 configured to access the control

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parameters in the memory device to control the at least one operating requirement when the optoelectronic device is operating at a temperature within the range of operating temperatures.

With respect to claims 15-16 and 20-21, Aronson show in Fig.2 the TOSA 103 and the ROSA 102.

With respect to claim 17, Aronson show in Fig.3 an analog to digital conversion circuitry 127 for receiving an analog signal from the temperature sensor 125, converting the received analog signal into a digital temperature value.

With respect to claim 18, Aronson show in Fig.2-3 the digital to analog circuitry 123 configured to convert the control value to a control signal to control the driver circuit 105.

### Communication Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung (Michael) T Nguyen whose telephone number is (571) 272-1949. The examiner can normally be reached on 8:30 - 17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Min Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

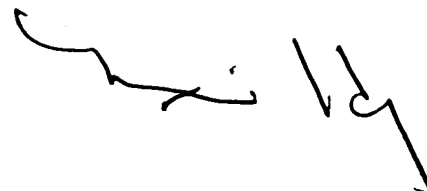
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3329.

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Michael Dung Nguyen

A handwritten signature in black ink, appearing to be 'Minsun Ch...' followed by a stylized flourish.

MINSUN CH  
PRIMARY